

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:17-cv-00601-FDW-DCK

WHIRLPOOL PROPERTIES, INC.,)
WHIRLPOOL CORPORATION, and)
MAYTAG PROPERTIES, LLC,)
)
Plaintiffs,)
)
vs.)
)
FILTERS FAST, LLC,)
)
Defendant.)
_____)

ORDER


THIS MATTER is before the Court to memorialize the Court's oral orders issued on February 5, 2019. As ordered and for the reasons stated in open court on February 5, 2019 before the undersigned, to the extent Plaintiffs are not bringing their claims under the initial interest confusion doctrine, the Court DENIES Defendant's Motion for Summary Judgment (Doc. No. 76) on all of Plaintiffs' claims.

This case is set for jury trial to commence during the March 2019 term. The Court will not hold another pre-trial conference for this case, but the parties must be present for docket call to take place at 9:00 a.m. on March 4, 2019 in Courtroom 1-1. Jury selection will take place on March 5, 2019. For *voir dire*, each party will get ten minutes to question the first set of jurors. For each subsequent round of jury selection, parties will get one additional minute for each empty seat. Parties will have three peremptory challenges per side. Jurors must be challenged at the first opportunity. The parties must be prepared to commence trial after jury selection. The parties should be prepared have a twenty-four (24) hour chess clock, with each side having twelve (12) hours.

The parties are ordered to submit their **jointly-prepared** pretrial submissions by February 19, 2019. These documents should be submitted to Chambers electronically utilizing the CyberClerk feature on CM/ECF. The Case Management Order addresses the requirements for these submissions. Any motions *in limine* must be filed by February 19, 2019 with responses due on February 22, 2019. The Court will address any outstanding motions or pretrial issues on the first day of trial before the jury arrives. Witnesses for trial should be subpoenaed by February 19, 2019.

IT IS SO ORDERED.

Signed: February 5, 2019



Frank D. Whitney
Chief United States District Judge

